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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA MAHON and GARY
MARKLEY,
Plaintiffs

CASE NO. CIV.S-03-1763 MCE DAD

vs.

SECOND AMENDED STIPULATION
TO EXTEND DEADLINES;ORDER

CROWN EQUIPMENT CORPORATION,
dba CROWN LIFT TRUCKS, and DOES 1
through 50, inclusive,
Defendants.

IT IS HEREBY STIPULATED by and between the parties, through their respective attorneys of record, in accordance with Local Rule 83-141, that the deadlines related to this matter should be extended as described herein, for the following good cause:

1. The parties filed a stipulation to extend deadlines on January 9, 2006. However, the Settlement Conference date of April 13, 2006, originally agreed upon by the parties was not available. The Court recommended May 11, 2006, for the Settlement Conference date, and the parties agreed to this date.

2. In light of the Settlement Conference date of May 11, 2006, the parties have agreed that the other discovery deadlines should be adjusted accordingly.

1 3. The parties have recently opened up settlement discussions and request
2 additional time to evaluate this case and attempt a resolution, before additional significant costs
3 are incurred relating to disclosing and deposing expert witnesses.

4 4. An extension on deadlines set by this Court is necessary in order to adequately
5 complete discovery, and assess the value of this case.

6 5. This action involves many complex issues, and the parties have just recently
7 resolved a discovery dispute. The parties have made progress through depositions and written
8 discovery, yet additional time is needed to complete discovery.

9 6. Plaintiff Cynthia Mahon is recovering from her third surgery following her
10 foot crush injury allegedly related to this action. The parties need additional time to evaluate Ms.
11 Mahon's condition, and consider vocational rehabilitation options.

12 7. The parties stipulate and propose that deadlines set by the Court should be
13 extended as follows:

- 14 1. Discovery to be completed no later than June 30, 2006.
- 15 2. Early Settlement Conference on May 11, 2006, at 10:00 a.m., before
16 Judge Drozd.
- 17 3. Expert witness disclosure no later than July 28, 2006.
- 18 4. All dispositive motions, except motions for continuances, temporary
19 restraining orders or other emergency applications shall be filed no later
20 than September 29, 2006.
- 21 5. Final Pre-trial Conference on October 23, 2006, at 1:30 p.m.
- 22 6. Trial to commence on November 29, 2006, at 9:00 a.m.. Parties to
23 produce all exhibits to the Court no later than 3:00 p.m. on November 22,
24 2006.
- 25 2006.

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1 IT IS FURTHER STIPULATED that this Stipulation may be signed in counterparts and
2 that a signature by facsimile shall be deemed counsel's original signature.

3 Respectfully Submitted,
4 Dated: _____ KERSHAW, CUTTER & RATINOFF, LLP

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7 C. BROOKS CUTTER
8 KERRIE WEBB
9 Attorneys for Plaintiffs

10 MATHENY, SEARS, LINKERT & LONG, LLP


11 Dated: _____
12 DOUGLAS A. SEARS
13 SEAN RICHMOND
14 Attorneys for Defendants

15 **ORDER**

16 GOOD CAUSE APPEARING THEREFOR,

17 IT IS HEREBY ORDERED that the above Stipulation between all parties is hereby
18 approved, the new dates pertaining to the above-referenced action shall be set forth in
19 accordance with the above stipulation between the parties.

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21 DATED: February 2, 2006

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24 MORRISON C. ENGLAND, JR.
25 UNITED STATES DISTRICT JUDGE
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